Department of Energy
Washington, DC 20585

October 6, 2009

Major General Meredith W. B. Temple
Deputy Commanding General for Civil and Emergency Operations
HQ, U.S. Army Corps of Engineers
441 G Street, NW
Washington, DC 20314-1000

Subject: Referral of the Staten Island Warehouse Site, 2393 Richmond Terrace Avenue, Port Richmond, New York, to the U.S. Army Corps of Engineers for FUSRAP Remediation

Reference: Removal Site Evaluation for the Richmond Terrace Site, Staten Island, Richmond County New York, letter from Walter E. Mugdan, U.S. Environmental Protection Agency, to Dr. Ines R. Triay and Christopher Clayton, U.S. Department of Energy, February 26, 2009; Memorandum of Understanding between the U.S. Department of Energy and the U.S. Army Corps Of Engineers Regarding Program Administration and Execution of the Formerly Utilized Sites Remedial Action Program, March 1999

Dear General Temple:

I am writing to notify your agency of radioactive material that has been identified on the Staten Island Warehouse Site located at Port Richmond, on Staten Island, New York, which may require action by the U.S. Army Corps of Engineers (USACE).

The site was used to store high-grade uranium ore as early as 1939. The U.S. Department of Energy (DOE) identified contamination in the northwest corner of the site in 1980. DOE conducted an eligibility review in 1986 and determined the site was not eligible for remediation under the Formerly Utilized Sites Remedial Action Program (FUSRAP). That decision was based on documentation indicating that the U.S. Government did not take possession of the uranium content of the ore until after it was removed from the site.

A 1992 investigation by the New York State Department of Environmental Conservation (NYSDEC) confirmed the presence of radiological contamination at the site, as shown on the enclosed drawing. On February 20, 2008, a Removal Site Evaluation was performed at the site by a joint assessment team consisting of the U.S. Environmental Protection Agency (EPA) Region 2, NYSDEC, and the New York City Department of Health, which found the same contaminated area.

In the referenced correspondence, EPA requested that DOE provide historical and technical assistance and review the 1986 eligibility decision. DOE has confirmed the basis for the original decision with respect to the warehouse building, which found that the U.S. Government did not take title to the ore before it was loaded onto barges for transport. However, further research indicated that the contract between the Manhattan Engineer District and African Metals Corporation, the owner of the ore, called for delivery "free alongside ship" (f.a.s.), indicating that the purchaser (i.e., the U.S. Government) took custody of the ore on the loading dock.

Radiological survey results indicate the radioactive contamination at the site is consistent with residues of unprocessed uranium ore. Therefore, DOE finds that the aforementioned contamination at the northwest corner of the Staten Island Warehouse Site, where the dock was located, is eligible for remediation under FUSRAP. In accordance with Article III.D of the above referenced Memorandum of Understanding, DOE hereby refers this site to USACE for assessment and, if necessary, remedial action under FUSRAP.

Information pertaining to the site can be accessed from the Considered Sites Database on the DOE Office of Legacy Management website at http://csd.lm.doe.gov/index.cfm. DOE will consult with your staff to arrange for transfer of site information to USACE.

We appreciate the USACE's assistance and will continue to work cooperatively with your staff in carrying out the terms of the MOU. Please contact Christopher Clayton of my staff at (202) 586-9034 or Christopher.clayton@hq.doe.gov if you need further information in this matter.

Sincerely,

David W. Geiser
Deputy Director
Office of Legacy Management

Enclosure

cc: w/enclosures
S. Beauchamp, USACE. CEMP-CE
S. DaCosta-Chisley, USACE, CECW-IN
C. Clayton, DOE
T. Pauling, DOE
R. Plieness, DOE
S. Miller, DOE
RC-Grand Junction

From New York State Department of Environmental Conservation, "Richmond Terrace Field Survey Report," July 22, 1992

Note: North arrow on this drawing actually points east.